REMARKS

Reconsideration and allowance of the subject matter is respectfully requested. Claims 1-24 are all the claims pending in the application. Applicant respectfully submits that the pending claims define patentable subject matter.

I.   Rejections Under 35 U.S.C. § 101

Claims 1, 9 and 17 are rejected as allegedly being directed to non-statutory subject matter. By this Amendment, Applicant has amended claims 1, 9 and 17 and it is respectfully submitted that the claims recite statutory subject matter. Accordingly, the Examiner is requested to remove the rejection.

II.   Prior Art Rejections

Claims 1-4, 7, 9-12, 15, 17-20 and 23 are rejected under 35 U.S.C. § 102(b) as being anticipated by McNabb et al. (U.S. Pat. No. 6,289,462; hereinafter "McNabb"). Claims 5, 6, 13, 14, 21 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over McNabb and Tashenberg (U.S. Pub. 2001/0034711). Claims 8, 16 and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over McNabb and Hepworth (U.S. Pub. 2006/0032920). Applicant respectfully submits that the claimed invention would not have been anticipated by McNabb or rendered obvious in view of Tashenberg and Hepworth.

Amended independent claim 1 is directed to "[a] method for retrieving data from classified table elements." Claim 1 recites in part:

> receiving the request, from the requestor, to access the contents of the
> classified table elements; for each classified table element, asking the
> classification engine to provide an indication of whether the requestor associated

with the request is to be permitted access to the contents of the respective
classified table element; and

accessing the contents of each classified table element for which an
approval indicator is received from the classification engine, the approval
indicator indicating that the requester is permitted to access the contents of the
respective classified table element;

wherein the asking step comprises sending the request to the classification
engine coupled to the data processing system.

With regard to claim 1, the Examiner alleges that McNabb discloses a data processing

system having all of the features recited in claim 1. In support of the rejection, the Examiner

cites Fig. 9, column 9, lines 56-58, column 14, lines 19-26 and 56-67, column 8, lines 11-15 and

41-45, column 18, lines 52-58, column 15, lines 1-28 of McNabb as allegedly disclosing all of

the features of claimed invention. For example, column 14, lines 56-67 of McNabb states:

"when a process executes a file, a trusted server interrogates both the processes and file prior to

execution ... [t]he permission bits are checked ... the SL labels are verified to establish that the

process SL is equal to or greater than the file SL." Further, column 15, lines 1-28 of McNabb

states: "[i]f any of the prior verification steps failed, permission to execute the binary program

would be denied." However, Applicant respectfully submits that no portion of McNabb teaches

or suggests:

for each classified table elements, asking the classification engine to
provide an indication of whether the requestor associated with the request to be
permitted access to the contents of the respective classified table element; and
accessing the contents of each classified table element for which an
approval indicator is received from the classification engine, the approval
indicator indicating that the requestor is permitted to access the contents of the
respective classified table elements

as required by claim 1. Instead, McNabb merely discloses that accessing content from a table

element is determined by a trusted server that compares the authorization associated with the

process UID with the privilege authorization set (see column 15, lines 5-7 of McNabb). Further,

McNabb never mentions any type of approval indicator as recited in claim 1.

Similarily, Tashenberg and Hepworth do not teach or suggest these features of the

claimed invention which are missing from McNabb.

Accordingly, Applicant respectfully submits that independent claim 1, as well as

dependent claims 2-8, should be allowable because the cited reference does not teach or suggest

all of the features of the claims.

Independent claims 9 and 17 recites features similar to those discussed above with regard

to claim 1. These features include

> for each classified table elements, asking the classification engine to
> provide an indication of whether the requestor associated with the request to be
> permitted access to the contents of the respective classified table element; and
> accessing the contents of each classified table element for which an
> approval indicator is received from the classification engine, the approval
> indicator indicating that the requestor is permitted to access the contents of the
> respective classified table elements

Accordingly, Applicant respectfully submits that independent claims 9 and 17 are patentable at

least for the reasons mentioned for claim 1. Further, dependent claims 10-16 and 18-24 are

patentable at least by virtue of their dependency of independent claims 9 and 17, respectively.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.
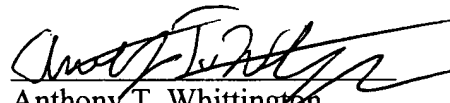
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Anthony T. Whittington
Registration No. 54,871

Date: December 7, 2006